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APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER 000423 12/04/2001 10/006,040

Thomas Birnbaum

CONFIRMATION NO. 9559

FORMALITIES LETTER

OC000000007277248*

QUALCOMM Incorporated Attn: Patent Deparment 5775 Morehouse Drive San Diego, CA 92121-1714

Date Mailed: 01/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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Initial Patent Examination Division (703) 308-1202 PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED-Patent Department

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Birnbaum, et al.

Serial No.: 10/006,040

Examiner: Not yet assigned

Filed: December 4, 2001

Group Art Unit: 2661

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted under 37 CFR § 1.53, which was mailed on January 8, 2002, enclosed are:

- 1. Notice to File Missing Parts;
- 2. Executed Declaration/Power of Attorney;
- 3. Copy of Assignment;
- 4. Ten Sheets of Formal Drawings; and
- 5. Return postcard.

Please charge Deposit Account No. 17 - 0026 of QUALCOMM Incorporated in the amount of \$530.00 (\$130 surcharge, \$400 extension fee). Applicant through his attorney respectfully

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on: May 8, 2002

(Date of Deposit) Theresa M. Badet

(Name of the Person Making Deposit)

(Signature) May 8, 2002

NOA

(Date of Signature)

requests that the two-month statutory period for response to the outstanding Missing Parts of January 8, 2002 due March 8, 2002 be extended two-months under 37 CFR § 1.136(a) to May 8, 2002. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17 - 0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

Respectfully submitted,

Dated: May 8, 2002

By: Howard H. Seo

Reg. No. 43,106

QUALCOMM Incorporated (PTO Customer No. 23696)

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